

## AMENDMENTS TO THE CLAIMS

1. (Canceled)
2. (Currently amended) ~~An apparatus according to Claim 1, wherein said control unit~~ An image data transmission apparatus comprising:  
a transmission unit that transmits image data; and  
a control unit that calculates [[said]] information concerning the transmission rate on the basis of a measured value of the transmission rate[[,]] of a network through which said image data are to be transmitted and controls the amount of image data to be transmitted in accordance with the calculation said information.
3. (Currently amended) ~~An apparatus according to Claim 1, wherein said control unit~~ An image data transmission apparatus comprising:  
a transmission unit that transmits image data; and  
a control unit that obtains a measured value of the transmission rate while transmitting said image data[[,]] and controls the amount of image data to be transmitted in accordance with said measured value.
4. (Currently amended) An image data transmission apparatus comprising:  
a transmission unit that transmits image data of a motion picture; and  
a control unit that controls the amount of image data to be transmitted in accordance with information concerning a receiving apparatus that receives said image data without reducing the number of frames included in said motion picture.
5. (Canceled)
6. (Original) An apparatus according to Claim 4, wherein said control unit detects performance speed of said receiving apparatus on said image data as said information.

7. (Original) An apparatus according to Claim 4, wherein said control unit detects the specifications of a display unit of said receiving apparatus as said information.

8. (Currently amended) An apparatus according to ~~one of Claims 1~~ Claim 2, further comprising a compression unit that compresses said image data to be transmitted;  
wherein said control unit controls said compression unit to adjust resolution of said image data in accordance with said information.

9. (Currently amended) An apparatus according to ~~one of Claims 1~~ Claim 2, further comprising a compression unit that compresses said image data to be transmitted;  
wherein said control unit controls said compression unit to extract low frequency components from said image data in accordance with said information.

10. (Currently amended) An apparatus according to ~~one of Claims 1~~ Claim 2, further comprising a compression unit that compresses said image data to be transmitted;  
wherein said control unit controls said compression unit to reduce bit numbers dedicated to each pixel of said image data in accordance with said information.

11. (Canceled)

12. (Currently amended) ~~An apparatus according to Claim 11, wherein said control unit~~ An image data receiving apparatus comprising:

a receiving unit that receives image data; and

a control unit that calculates [[said]] information concerning the transmission rate on the basis of a measured value of the transmission rate[[,]] of a network through which said image data are to be transmitted and controls the amount of image data to be received in accordance with ~~the calculation~~ said information.

13. (Currently amended) ~~An apparatus according to Claim 11, wherein said control unit~~ An image data receiving apparatus comprising:

a receiving unit that receives image data; and

a control unit that obtains a measured value of the transmission rate while receiving said image data, and controls the amount of image data to be received in accordance with said measured value.

14. (Currently amended) An image data receiving apparatus comprising:

a receiving unit that receives image data;

a decoding unit that performs data processing on the received data; and

a control unit that controls the amount of image data to be received in accordance with information concerning the ~~performance speed of said decoding unit~~ amount of data stored in a buffer of the decoding unit.

15. (Canceled)

16. (Currently amended) ~~An apparatus according to Claim 11~~ An image data receiving apparatus comprising:

a receiving unit that receives image data; and

a control unit that controls the amount of image data to be received in accordance with information concerning the transmission rate of a network through which said image data are to be transmitted,

wherein said control unit monitors the amount of received data and instructs a transmission apparatus [[of]] to terminate transmission of said image data ~~when the amount of said received data reaches the specified amount~~ when the receiving apparatus receives a predetermined component of the image data.

17. (Currently amended) ~~An apparatus according to Claim 11, wherein said image data are a motion picture, and wherein said control unit~~ An image data receiving apparatus comprising:

a receiving unit that receives image data of motion picture; and  
a control unit that controls the amount of image data to be received in accordance with  
[[said]] information concerning the transmission rate of a network through which said data are to  
be transmitted without reducing the number of frames included in said motion picture.

18. (Currently amended) An image transmitting method comprising:  
transmitting image data; and  
~~controlling the amount of image data to be transmitted, in accordance with information~~  
~~concerning the transmission rate of a network through which said image data are to be~~  
~~transmitted~~ calculating information concerning the transmission rate on the basis of a measured  
value of the transmission rate of a network through which said image data are to be transmitted;  
and  
controlling the amount of image data to be transmitted in accordance with said  
information.

19. (Currently amended) An image transmitting method comprising:  
transmitting image data of a motion picture; and  
controlling the amount of image data to be transmitted[[,]] in accordance with  
information concerning a receiving apparatus that receives said image data without reducing the  
number of frames included in said motion picture.

20. (Currently amended) An image receiving method comprising:  
receiving image data; [[and]]  
calculating information concerning the transmission rate on the basis of a measured value  
of the transmission rate of a network through which said image data are to be transmitted; and

controlling the amount of image data to be received[[,]] in accordance with said information ~~concerning the transmission rate of a network through which said image data are to be transmitted.~~

21. (Currently amended) An image receiving method comprising:  
receiving image data;  
performing data processing on the received image data for displaying said image data;  
and  
controlling the amount of image data to be received in accordance with information concerning the ~~performance speed of said data processing~~ amount of data stored in a buffer of the decoding unit.

22. (Canceled)